

BILL NO. S-69-12-13

SPECIAL ORDINANCE NO. S- 394-70

AN ORDINANCE approving an Agreement with
NIEMEYER CORPORATION for construction of a
Sanitary Sewer for Trier Ridge Park, Section
II.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
INDIANA:

SECTION 1. The Sewer Agreement approved December 8, 1969,
between NIEMEYER CORPORATION, as Developer, and the CITY OF FORT
WAYNE, INDIANA, by and through its Mayor and Board of Public
Works, for the construction of a Sanitary Sewer for Trier Ridge
Park, Section II, as follows:

SANITARY SEWER LATERAL NO. 2: An 8-inch sanitary
sewer commencing at the northeast corner of Lot No.
82 of Trier Ridge Park, Section II, running in a
westerly and southerly direction along the south
side of Debeney Drive to the northwest corner of
Lot No. 74 of said Trier Ridge Park, Section II, of
Fort Wayne, Allen County, Indiana, said sewer being
approximately 695.12 feet, serving lots numbered
82, 81, 80, 79, 78, 77, 76, 75, 74, 73, 72, 71, 70,
66, 67 and 68.

SANITARY SEWER LATERAL NO. 4: An 8-inch sanitary
sewer commencing at the southwest corner of Lot No.
64 of Trier Ridge Park Section II, running in a
westerly and southerly direction along the central
north side of Ensign Court in a straight line, to
the south side of Debeney Drive to a point of con-
nection with Sanitary Sewer Lateral No. 1 of said
Trier Ridge Park, Section II, said sewer being
approximately 270 feet, servicing lots numbered 64,
65, 69 and possibly 66 and 70.

SANITARY SEWER LATERAL NO. 6: An 8-inch sanitary
sewer commencing at the southwest corner of Lot No.
59 of Trier Ridge Park, Section II, and traveling
along the easement across the rear of said lots in
a westerly direction, to the southwest corner of
Lot No. 63 of said Trier Ridge Park, Section II,
Fort Wayne, Allen County, Indiana, said sewer being
approximately 337.5 feet, servicing lots numbered
59, 60, 61, 62 and 63.

the total cost of said sewer to be borne by Developer, allas more particularly set forth in said Sewer Agreement, which is on file in the office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all Things ratified, confirmed and approved.

SECTION 2. That the Developer, and any owner or owners of land, their successors in title and assigns, which is now or may hereafter be located outside the corporate limits of the City of Fort Wayne, Indiana, who taps into the water main covered in said Agreement, or any extension thereof, shall be deemed to thereby waive his, her, their or its right to remonstrate against or other wise object to, interfere with, or oppose any pending or future annexation by said City of Fort Wayne, Indiana, of such land or territory in which said land is located.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.



APPROVED AS TO FORM
AND LEGALITY.



CITY ATTORNEY

Read the first time in full and on motion by Dunifon seconded by
IV nichols and duly adopted, read the second time by title and referred
to the (Committee on) City utilities (and to the City Plan
~~Commission for recommendation~~) (and Public Hearing to be held after due legal notice,
at the Council Chambers, City Hall, Fort Wayne, Indiana, on
the _____ day of _____ 196____, at _____ o'clock
P.M., E.S.T.

Date: 12-23-69 Freud H. Bonahoom
City Clerk

Read the third time in full and on motion by Geake
seconded by Steigerwald and duly adopted, placed on its passage.
Passed (~~lost~~) by the following vote:

AYES	<u>7</u>	NAYS	<u>0</u>	ABSTAINED	_____	ABSENT	<u>2</u>	to-wit:
Adams	_____	_____	_____	_____	_____	_____	_____	✓
Dunifon	✓	_____	_____	_____	_____	_____	_____	_____
Fay	✓	_____	_____	_____	_____	_____	_____	_____
Geake	✓	_____	_____	_____	_____	_____	_____	✓
Nuckols	_____	_____	_____	_____	_____	_____	_____	_____
Robinson	✓	_____	_____	_____	_____	_____	_____	_____
Rousseau	✓	_____	_____	_____	_____	_____	_____	_____
Steigerwald	✓	_____	_____	_____	_____	_____	_____	_____
Tipton	✓	_____	_____	_____	_____	_____	_____	_____

Date 1-13-70 Freud H. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as
(Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. 5394-70
on the 13th day of January, 19670.

ATTEST: (SEAL)

Freud H. Bonahoom Robert R. Tipton
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day
of January, 19670 at the hour of 8:30 o'clock A.M., E.S.T.
Freud H. Bonahoom
City Clerk

Approved and signed by me this 14th day of January, 19670,
at the hour of 8:55 o'clock A.M., E.S.T.
Harold S. Zeis
Mayor

Bill No. S-69-12-13

REPORT OF THE COMMITTEE ON CITY UTILITIES

We, your Committee on City Utilities to whom was referred an Ordinance
approving an Agreement with NIEMEYER CORPORATION for construction of a Sanitary
Sewer for Trier Ridge Park, Section II,

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Do PASS.

WILLIAM K. GEAKE, Chairman

JACK K. DUNIFON, Vice-Chairman

CELIA ANN FAY

JOHN NUCKOLS

EDWIN J. ROUSSEAU

Wm K. Geake
Jack K. Dunifon
Celia Ann Fay
John Nuckols
Edwin J. Rousseau

CONCURRED IN

DATE 1-13-70 FUAD G. BONAHOOM, CITY CLERK